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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER
RECEK, JASON D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/665,851	LEE, CHING HOE
	Examiner	Art Unit	
	Jason Recek	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☒ Claim(s) *3, 9, 14-15, 20, 22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09/18/2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ · Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

This is in response to application filed on September 18th 2003 in which claims 1-30 are presented for examination.

Status of Claims

Claims 1-30 are pending, of which claims 1, 13 and 20 are in independent form.

Claims 3, 9, 14-15, 20, and 22 are currently objected to.

Claims 1-30 are currently rejected.

Specification

1.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2.   The abstract of the disclosure is objected to because it is not in narrative form. It is merely a copy of claim 1. Correction is required. See MPEP § 608.01(b).

3.   The disclosure is objected to because of the following informalities: on page 7 paragraph 21 the term "approval" is used to refer to fig. 106, it seems the correct term

should be "approver" as used elsewhere in the specification when referring to fig. 106.

Appropriate correction is required.

Claim Objections

4.   Claims 3, 15 and 22 are objected to because of the following informalities: the term "the list" lacks antecedent basis. Appropriate correction is required.

5.   Claim 9 is objected to because of the following informalities: the verb conjugation in the term "message comprising" does not fit with the sentence, perhaps comprising should be replaced with comprises as in claim 28. Appropriate correction is required.

6.   Claim 14 is objected to because of the following informalities: the phrase "associating at least target device" does not specify how many target devices. Appropriate correction is required.

7.   Claim 20 is objected to because of the following informalities: the terminology "one of more networks" vaguely indicates that two or more networks are required. Please indicate the appropriate number of networks. Appropriate correction is required.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9.   Claims 1-2, 5-8, 11-12, 13-14, 17-21, 24-28 are rejected under 35 U.S.C. 102(b)

as being anticipated by Lazaridis et al. US2001/0005860 A1.

Regarding claim 1, Lazaridis discloses "receiving a message from a first user to a

second user, wherein the message originates at a first node in a network, is addressed

to a second node in the network, and includes a request for input from the second user"

as an E-mail message (see Fig. 1 items A, 26 and 28, and paragraphs 31 and 33).

Lazaridis also discloses "sending the message to the second node" as an E-mail

message. E-mail messages are known as messages that are sent and received

electronically, or over a network that consists of one or mode nodes (see Fig. 1 item A).

Furthermore, Lazaridis discloses "if no indication is received to indicate that the second

user has read the message, then sending the message to a target device associated

with the second user, the target device not being connected to the network" as a

redirector program which forwards data items (e-mail messages) based upon an event

trigger (timer) to a user's mobile device (see paragraph 12, lines 1-5 and paragraph 16

lines 9-11).

Regarding claim 2, Lazaridis discloses "associating at least one target device

with the second user" when it discusses forwarding the message to the user's device.

By using the possessive term 'user's', it is inherent that the device is associated with the

user (see paragraph 12, lines 1-5).

Regarding claim 5, Lazaridis discloses "first determing if the second user has any associated target devices" as a redirector program (see paragraph 12, line 1 and claim 6, lines 4-5). A redirector program would inherently first determine if a user had a device that a message could be redirected to, otherwise no redirection could occur.

Regarding claim 6, Lazaridis clearly discloses "waiting a time period before sending the message to the target device" as a redirector program that detects a triggering event. An event trigger could be a screen saver activation, keyboard timeout or programmable timer – all involve waiting a time period (see paragraph 13, lines 7-17).

Regarding claim 7, Lazaridis discloses "determining the time period based on an urgency of the message" by integrating the redirector program with an E-mail program which can be configured to provide trigger points (time period) to control redirecting (see paragraph 18, lines 14-17).

Regarding claim 8, Lazaridis discloses " receiving a response from the second user, and sending the response to the first user" by describing a method of replying to messages in which the reply is sent to the original message sender (see claim 2).

Regarding claim 11, Lazaridis discloses "waiting for a response from the second user ..." by describing a communication system in general. In any communication

system once a message or the like is communicated (sent) the originator of the

message will wait for a response, whether or not any indication is received that the

target got the communication (see Fig. 5 block 82).

Regarding claim 12, Lazaridis discloses "formatting the message for the target

device based on the capabilities of the target device, before sending a message" by

describing a system that first determines the type of device and whether the device can

receive attachments before sending the message (see paragraph 14).

Regarding claim 13, Lazaridis discloses "a computer readable medium having

[the method of claim1]" as a redirector program that runs on a computer system. A

computer readable medium is primarily incorporated by Lazaridis (see Fig. 1, item 12).

Software is necessarily, at one point in time, contained on a computer readable

medium, thus Lazaridis anticipates claim 13.

Regarding claim 14, Lazaridis discloses "associating at least target device with

the second user" when it discusses forwarding the message to the user's device. By

using the possessive term 'user's', it is inherent that the device is associated with the

user (see paragraph 12, lines 1-5).

Regarding claim 17, Lazaridis discloses "first determing if the second user has

any associated target devices" as a redirector program (see paragraph 12, line 1). A

redirector program would inherently first determine if a user had a device that a message could be redirected to, otherwise no redirection could occur.

Regarding claim 18, Lazaridis clearly discloses "waiting a time period before sending the message to the target device" as a redirector program that detects a triggering event. An event trigger could be a screen saver activation, keyboard timeout or programmable timer – all involve waiting a time period (see paragraph 13, lines 7-17).

Regarding claim 19, Lazaridis discloses "determining the time period based on an urgency of the message" by integrating the redirector program with an E-mail program which can be configured to provide trigger points (time period) to control redirecting (see paragraph 18, lines 14-17).

Regarding claim 20, Lazaridis discloses "a system comprising: a processor; a network card coupled to the processor to enable communications with one of more networks; and a memory couple to the processor, the memory storing instructions [to perform the method of claim 1]" as a redirection system operating in a networked environment. Lazaridis primarily incorporates a processor, a network card, and a memory (see fig. 1, items 14 and 10) by disclosing a desktop computer which is part of a local area network, this computer would necessary contain a processor, a memory and a network card.

Regarding claim 21, Lazaridis discloses "associating at least one target device with the second user" when it discusses forwarding the message to the user's device. By using the possessive term 'user's', it is inherent that the device is associated with the user (see paragraph 12, lines 1-5).

Regarding claims 24-28, they contain substantially the same limitations as claims 5-9 and are therefore rejected because Lazaridis discloses all the limitations of claims 5-9 as well as the limitations of independent claim 20 and thus also discloses all the limitations of claims 24-28.

10.   Claim 9 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lazaridis. Lazaridis discloses a network that is capable of sending messages from a first user to a second user and sending responses back to the first user. Lazaridis does not disclose specifically a message that is an approval request. However it is well known that an email message may contain an approval request and thus Lazaridis anticipates claim 9 or in the alternative it would have been obvious to one of ordinary skill in the art at the time the invention was made to use email as a way to communicate an approval request.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Shavit et al. US2002/0160757.

Regarding claims 3-4, Lazaridis discloses all the limitations contained in the

claims that claim 3 depends from, see item 10. Lazaridis does not suggest "sending the

message sequentially to each target device in the list", however this feature is contained

in Shavit. Shavit teaches a strategy for delivering urgent messages, which includes

sending messages to a recipient based upon a list of delivery devices (see abstract).

Shavit also discloses the claim 4 limitation "setting the first target device in the list as a

current device and repeating: sending the message to the current device; and setting

the next device on the list as the current device if no indication is received from the

current device to indicate that the second user has read the message" as a system that

selects a device from a list, sends the message, and if the recipient did not receive the

message, sequentially selecting another device and sending the message (see

paragraph 8, Fig 2 and 3C, and claim 13).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the method and system of Lazaridis' invention to provide redirection

to more than one device if the first device was unavailable or the user did not receive

the message. The motivation is ensuring urgent messages are delivered quickly. It is

understood that the more locations (devices) you attempt to reach a person (user) at the

quicker it is you will find that person.

13.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis US2001/0005860 A1 in view of Microsoft Outlook 2000.

As per claim 10, Lazaridis discloses all the limitations of the independent claim 1

from which claim 10 is dependent. Lazaridis does not specifically teach "sending a

notification to the first user if an indication is received to indicate that the second user

has read the message" as recited in the instant claim. However Microsoft Outlook 2000

achieves this aspect by providing a feature known as a read receipt. It would have

been obvious to one of ordinary skill in the art at the time of the invention to modify the

method and system of Lazaridis' invention to provide the notification feature found in

Microsoft Outlook 2000. The motivation to combine can be found in Lazaridis (see

paragraph 3, lines 10-13) wherein devices that are capable of returning confirmation

signals when a message is received are disclosed as being especially well suited for

this area of technology. Thus it would have been obvious to use confirmation signals to

transmit a notification after a user read the message.

14.   Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Shavit. Claims 15 and 16 incorporate substantially the same

limitations as claims 3-4 and thus are rejected using the same rationale. It is also noted

that "computer-readable medium" is primarily incorporated by Lazaridis, see rationale

rejecting claim 13.

15.   Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Shavit. Claims 22-23 incorporate substantially the same limitations

as claims 3-4 and thus are rejected using the same rationale. It is also noted that "a

system comprising: a processor [...] a network card [...] and a memory" is primarily

incorporated by Lazaridis, see rationale rejecting claim 20.

16.   Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Microsoft Outlook 2000. Claim 29 incorporates substantially the

same limitation as claim 10 and is thus rejected using the same rationale. It is also

noted that "system comprising: a processor [...] a network card [...] and a memory" is

primarily incorporated by Lazaridis, see rationale rejection claim 20.

17.   Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Ouchi U.S. Pat. No. 6170002 B1. Lazaridis discloses all the

limitations of claim 20 from which claim 30 is dependent, however Lazaridis does not

disclose "inserting a document identifier into a message before sending it to the target

device". Ouchi discloses using document identifiers in email messages to track the

message as it is processed (see column 14, lines 66-67 and claim 3). Ouchi is

particularly relevant because it concerns a workflow system for tracking approval

requests, similar to the present invention.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the method and system of Lazaridis to add a document identifier to a

message prior to sending it. The motivation to combine these features can be found in

Lazaridis paragraph 4 where Lazaridis describes the need for a more reliable system for

replicating data at a user's mobile device. Adding a document identifier to a message

service provides a more reliable system by allowing the message to be tracked.

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jason Recek whose telephone number is (571) 270-

1975. The examiner can normally be reached on Mon - Thurs 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Frantz Coby can be reached on (571) 272-4017. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason Recek

5/10/07

FRANTZ COBY
PRIMARY EXAMINER